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Alisha Flintroy-Mathis

Typed or Printed Name of Person Sending Paper or Fee

Alisha Flintroy-Mathis
Signature

April 6, 2006

Date

PATENT MAINTENANCE
DIVISION

APR 14 PM 4:00

US PATENT & TRADEMARK
OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

David J. Freger, et al.

Title: APPARATUS AND METHOD FOR DISTANCE
MEASUREMENT WITH CONTROLLED
MODULATION OF EMITTED PULSES

Serial No. 10/776,763

Filed: February 11, 2004

)
) Examiner: Tung S. Lau
)
)
) Group Art Unit: 2863
)
) Confirmation No. 3453
)
) Our Docket No.: 6743-0003-1

Hartford, Connecticut, April 6, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR REFUND OF AMENDMENT AFTER FINAL
AND
SUPPLEMENTAL RESPONSE TO OFFICE ACTION**

Applicants' agent respectfully requests a refund for the related fees that accompanied the AMENDMENT AFTER FINAL AND SUPPLEMENTAL RESPONSE TO OFFICE ACTION filed on March 29, 2006, in the above-identified case. Based on the circumstances described in the Supplemental Response, Applicants' believe no fees are due. Specifically, the Supplemental Response is only necessary at this time because of the Examiner's admitted oversight in failing to address the Applicants' arguments in the Final Office Action.

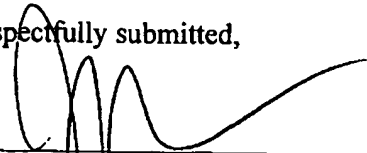
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Even if the extension fees are proper, Applicants' have been overcharged. A two-month extension of time fee is \$225.00 for small entity status, which is claimed in the above-identified case. A fee of \$450.00 for large entity status was charged to the Deposit Account No. 13-0235 on April 4, 2006.

Accordingly, please credit our Deposit Account ~~\$450.00~~, or in the alternative \$225.00 for the excess large entity fees. A copy of the Deposit Account Statement accompanies this Request for Refund.

Respectfully submitted,

By



Justin R. Sauer
Registration No. 56,920
Agent for Applicant(s)

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
Tel: (860) 549-5290

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**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: April 2006
Deposit Account Number: 130235
Name: MCCORMICK PAULDING & HUBER
Attention: JOHN C LINDERMAN
Address: CITYPLACE II, 185 ASYLUM ST.
City: HARTFORD
State: CT
Zip: 06103-4102
Country: UNITED STATES OF AMERICA

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|------|--------------------|---------------------------|-------------|-----------|-------------|
| 04/03 | 3 | 10526710 | | 9204 | -\$100.00 | \$15,111.26 |
| 04/03 | 52 | 11291083 | | 2251 | \$60.00 | \$15,051.26 |
| 04/03 | 53 | 11291083 | | 2011 | \$150.00 | \$14,901.26 |
| 04/03 | 54 | 11291083 | | 2051 | \$65.00 | \$14,836.26 |
| 04/03 | 55 | 11291083 | | 2111 | \$250.00 | \$14,586.26 |
| 04/03 | 56 | 11291083 | | 2311 | \$100.00 | \$14,486.26 |
| 04/03 | 57 | 11291083 | | 2202 | \$250.00 | \$14,236.26 |
| 04/03 | 1528 | 78852247 | 6116-0009 | 7001 | \$325.00 | \$13,911.26 |
| 04/04 | 2 | 10776763 | 6174-0003 | 1252 | -\$450.00 | \$13,461.26 |
| 04/04 | 7 | 11394565 | 6180-0001-2-1 | 2011 | \$150.00 | \$13,311.26 |
| 04/04 | 8 | 11394565 | 6180-0001-2-1 | 2111 | \$250.00 | \$13,061.26 |
| 04/04 | 9 | 11394565 | 6180-0001-2-1 | 2311 | \$100.00 | \$12,961.26 |

| | | | |
|------------------|-------------------|---------------------|----------------|
| START BALANCE | SUM OF CHARGES | SUM OF REPLENISH | END BALANCE |
| \$15,011.26 | \$2,150.00 | \$100.00 | \$12,961.26 |

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04/04/2006 AWISE1 00000002 130235 10776763

01 FC:1252 450.00 DA

Adjustment date: 05/16/2006 SDENB0B1
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